

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F046179 People v. Porter

Cause called and argued by Pamela B. Hooley, Deputy Attorney General, counsel for appellant and by William Schmidt, Esq., counsel for respondent.

Cause ordered submitted.

F047246 E & J Gallo Winery v. W.C.A.B.; Dykes et al

Cause called and argued by Susan I. Kagan, Esq., counsel for petitioner and by Gary Nelson, Esq., counsel for respondent and by David J. Froba, Esq., counsel for amicus.

Cause ordered submitted.

Court recessed until Wednesday, November 16, 2005 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F044484 People v. Victor

Cause called and argued by Janice M. Lagerlof, Esq., counsel for appellant.

Cause ordered submitted.

Court recessed until Thursday, November 17, 2005 at 10:00 A.M.

F048101 In re E.C. et al., Minors; Fresno County Department of Children and Family Services v. Liberty C.

Counsel having failed to request oral argument in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F048101 In re E.C. et al., Minors; Fresno County Department of Children and Family Services v. Liberty C.

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048096 In re E. C. et al., Minors; Fresno County Department of Children and Family Services v. David C.

Counsel having failed to request oral argument in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F048096 In re E. C. et al., Minors; Fresno County Department of Children and Family Services v. David C.

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045874 People v. Wilkins

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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- F045874 People v. Wilkins**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048627 Gabriel L. v. Superior Court of Kern; Department of Human Services**
The petition for extraordinary writ is denied.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046826 People v. Roberts**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F046826 People v. Roberts**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048626 Swartz et al. v. Superior Court of Fresno County; T.D.C. Convalescent, Inc.**
Let a peremptory writ of mandate issue directing the Fresno County Superior Court to vacate its order of June 14, 2005, in Fresno County Superior Court action No. 04CECG01625, which denied petitioner's motion for leave to file a third amended complaint, and to enter a new order granting said motion.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047253 People v. Morales**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
Court of Appeal of the State of California

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F047253 People v. Morales

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046069 People v. Ortega

Filed order denying request for publication of the opinion.

F047358 People v. Morales

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F047358 People v. Morales

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047324 In re Priscilla C., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F047324 In re Priscilla C., a Minor

The judgment is modified to strike the \$135 fine imposed pursuant to section 730.5 and the penalty assessments which raised the total amount of this fine to \$435. The matter is remanded to the trial court for it to consider imposition of a fine pursuant to this section if it determines the minor has the ability to pay the fine. In all other respects the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]